

BILL NO. Z-71-09-10

ZONING MAP ORDINANCE NO. Z-162-71

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. E-23.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. E-23, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Located in S.E. 1/4, Section 7, Township 31, North, Range 13 East. Bounded generally on the north by the westerly extension of the south right-of-way line of Swift Drive; bounded on the west by the east right-of-way line of I-69; bounded generally on the south by Bequetts Run; bounded on the east by the Leo Road, common-known as Highway #427, More particularly described as follows, to-wit: Lots # 1 thru 4 inclusive of Popp's Subdivision, as recorded by Plat Book #12, Page #2, in the Office of the Allen County Recorder.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM  
AND LEGALITY,

CITY ATTORNEY

Herbert G. Tipton  
Councilman

Read the first time in full and on motion by Tipton seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.

Date: 9-14-71 Harold H. Bonachoon  
City Clerk

Read the third time in full and on motion by Tipton seconded by Shake and duly adopted, placed on its passage.  
Passed (~~LOST~~) by the following vote:

AYES 8, NAYS 0, ABSTAINED \_\_\_\_\_, ABSENT 1 to-wit:

Adams	<u>✓</u>	_____	_____	_____
Dunifon	<u>✓</u>	_____	_____	_____
Fay	<u>✓</u>	_____	_____	_____
Geake	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
<del>Johnson</del>	<u>✓</u>	_____	_____	_____
Rousseau	<u>✓</u>	_____	_____	_____
Steigerwald	<u>✓</u>	_____	_____	_____
Tipton	<u>✓</u>	_____	_____	_____

Date 12-28-71 Harold H. Bonachoon  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 2-162-71

on the 28<sup>th</sup> day of December, 19 71.

ATTEST: (SEAL)

Harold H. Bonachoon  
City Clerk

Paul H. Shivers  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29<sup>th</sup> day of December, 19 71 at the hour of 8:30 o'clock A.M., E.S.T.

Harold H. Bonachoon  
City Clerk

Approved and signed by me this 29<sup>th</sup> day of December, 19 71 at the hour of 9:01 o'clock A.M., E.S.T.

Harold S. Zais  
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 14, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. 2-71-09-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

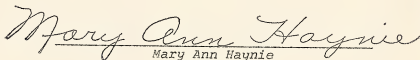
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 15, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 22, 1971.

Certified and signed this  
27th day of December 1971.

  
\_\_\_\_\_  
Mary Ann Haynie  
Secretary

Bill No. Z-71-09-10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. E-23.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

Donald J. Schmidt

JOHN H. ROBINSON

*Herbert G. Tipton*  
*Jack K. Dunifon*  
*Thomas G. Adams*  
*Wm K. Geake*  
*DJ Schmidt*

CONCURRED IN

DATE 12-28-71 FUAD G. BONAHOOM, CITY CLERK

## RECEIPT

GENERAL FUND

Nº 93

FT. WAYNE, IND., August 20 1971RECEIVED FROM Helmke, Philips & Deamus \$ 50<sup>00</sup>THE SUM OF Fifty Dollars <sup>100</sup> DOLLARSON ACCOUNT OF Petition to require Lots 1, 2, 3, 4 Popp's Sub DivisionI. H. Mc Kathnie, City Controller  
AUTHORIZED SIGNATURE by RL



Goode and Emily L. Goode

Applicant's Name or Names

In your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana

Bl-A

District the property is

Located in S. E. 1/4, Section 7, Township 31 North, Range 13 East. Bounded generally on the north by the westerly extension of the south right-of-way line of Swift Drive; bounded on the west by the east right-of-way line of I-69; bounded generally on the south by Bequetts Run; bounded on the east by the Leo Road, commonly known as Highway # 427.

General Description (Prepared by Planning Staff)

Lots numbered one (1), two (2), three (3) and four (4) in Epp's Subdivision of the Southeast quarter (1/4) of Section 7, Township 31 North, Range 13 East lying between State Highway #427 and Interstate No. 69.

(See Reverse Side)

## Legal Description

Description Checked by (City Engineer)

C. Susan Eberly for Don Bona.

Persons named applicant (s) upon the execution and submission of this application and petition, understanding amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be made in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If a request for a continuance or for the ordinance to be taken under advisement is filed at the required time, the head of the Plan Commission staff shall not put the matter on agenda for the meeting at which it was to be considered. Also, in the event, a request for continuance or delay in the consideration of an ordinance, it shall be the duty of the petitioner to notify the same property owners which the Plan Commission had notified that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is made, it shall be the duty of the petitioner to notify all persons notified by the Planning Commission Office when the time and place of hearing is determined.

I hereby certify that as the undersigned, I am / We are the owner (s) of fifteen or more of the property described in this petition.

Name Donald L. Boharic

2440 S. 216 Avenue SW

Address

Donald L. Boharic

Rosemary A. Boharic

2440 S. 216 Avenue SW

Rosemary A. Boharic

Leonard E. Goode

1802 N. Anthony Blvd

Emily L. Goode

Emily L. Goode

1802 N. Anthony Blvd

Leonard E. Goode

I am the zoning ordinance amendment prepared by:

309 Standard Building,

427

Walter I. Helmke

Address

Henry Niles

5423 New Haven Ave.

Henry Niles

Clifford Niles

5423 New Haven Ave.

Clifford Niles

Clifford Niles

8634 Mayhew Road

Clifford Niles

Clifford Niles

8634 Mayhew Road

Clifford Niles

Clifford Niles

7811 Leo Road

Clifford Niles

Clifford Niles

7811 Leo Road

Clifford Niles

Clifford Niles

7811 Leo Road

Clifford Niles

Clifford Niles

7811 Leo Road

Clifford Niles

More particularly described as follows To-wit:

Lots # 1 thru 4 inclusive of Popp's Subdivision, as recorded by Plat Book # 12, Page # 2, in the Office of the Allen County Recorder.

Lot # 1 (South 105') Now or formerly owned by David L & Francis R. Miller, as recorded by Instrument No. 71-547.

Lot # 1 (north 157' east of 1-69) now or formerly owned by Kenneth L. & Marjorie A. Huber, as recorded by Deed Record No. 666, Page # 20.

Lot # 2, now or formerly owned by Clifford & Eleanor M. Hoke, as recorded by Deed Record No. 399, page # 262.

Lot # 3 (east of Highway # 69), now or formerly owned by Donald L. & Rosemary A. Boharic, as recorded by Deed Record 705, Page No. 86.

Lot # 4, now or formerly owned by Henry & Mildred Niles, as recorded by Instrument No. 70-6261.





Common Council-City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

82 lines columns wide equals equivalent lines at 288¢ 23.62  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

23.62

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 21, 1972

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

In state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

January 11, 1972

January 18, 1972

Subscribed and sworn to before me this 21st day of January 1972

Notary Public

My commission expires March 8, 1974

## Legal Notices

Notice is hereby given that on the 28th day of December, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map Ordinance, to-wit:

B.L.N. 2-16-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 2-16-71

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1A District under the terms of Chapter 45, Indiana Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2-16-71 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. 2-16-71, referred to therein, established by Ordinance No. 2-16-71 of said Chapter of to-wit:

Located in S.E. 1/4, Section 7, Township 31, North, Range 13 East, bounded generally on the north by the westerly extension of the south right-of-way line of Swift Drive, bounded on the west by the east right-of-way line of I-49; bounded generally on the south by Reynolds Run; bounded on the east by the Lao Road, commonly known as Highway No. 47.

More particularly described as follows, to-wit: Lots 1 thru 4 inclusive of Pages 3 to 6, as recorded by Plat Book No. 12, Page No. 2, in the Office of the Allen County Recorder.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

HERBERT G. TIPTON, Councilman

Read the third time in full and on motion adopted, placed on its passage. Passed by Ayes eight

AYES eight: Oumilion, Gents, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton, Black nine

Absent one, to-wit: Councilman Fey, Date: 12-27-71

READ G. BONAHOOM, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as amended by Ordinance No. 2-16-71 on the 28th day of December, 1971.

ATTEST:

PHIL A. STEIGERWALD, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1971 at the hour of 2:30 o'clock A.M.

READ G. BONAHOOM, City Clerk

Approved and signed by me this 28th day of December, 1971, at the hour of 8:00 o'clock A.M.

HAROLD S. ZEIS, Mayor

I, read G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true and complete copy of Zoning Map Ordinance No. 2-16-71 passed by the Common Council on the 28th day of December, 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 28th day of December, 1971 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of December, 1971.

READ G. BONAHOOM, City Clerk

1-1118